

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7856

BILL NUMBER: HB 1435

NOTE PREPARED: Jan 7, 2005

BILL AMENDED:

SUBJECT: Marion County local government reorganization.

FIRST AUTHOR: Rep. Hinkle

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: Pending

Summary of Legislation: Provides, beginning January 1, 2007, that Marion County consists of the central township district (consisting of the area comprising the Indianapolis public school district) and the consolidated township (consisting of all area within the county that is outside of the Indianapolis public school district). Transfers all assets, property rights, equipment, records, personnel, and contracts concerning the provision of township assistance to the applicable township district on January 1, 2007. Transfers other assets, property rights, equipment, records, personnel, and contracts of a township to the consolidated city on January 1, 2006. Provides that the indebtedness of a township is assumed or defeased by the consolidated city. Requires township trustees and township boards representing the township districts be elected at the 2006 general election. Provides for a transitional advisory board to make recommendations regarding reorganization of the townships. In Marion County: (1) eliminates the office of township assessor and provides that the city controller administers the dog tax and dog fund and the county assessor assumes other township assessor duties and responsibilities; (2) adjusts the membership of the county property tax assessment board of appeals; (3) specifies that the controller acts for the city and the county and performs certain duties previously performed by the county auditor; (4) requires that the mayor appoint two deputy controllers; (5) creates the office of finance and management; (6) limits the duties of the board of commissioners; and (7) provides that certain ordinances and resolutions are not subject to veto. Replaces the Marion County small claims court with corresponding township divisions of a small claims division of the Marion superior court. Exempts from the ad valorem property tax limits amounts imposed by a consolidated city to fund indebtedness assumed, defeased, paid, or refunded in connection with the consolidation of certain fire departments into the fire department of a consolidated city. Establishes the annual maximum increase in the permissible ad valorem property tax levy for a consolidated city related to the fire special service district. Consolidates certain fire departments into the fire department of a consolidated city. Provides that the employees of the fire departments being consolidated become employees of the consolidated fire department. Provides that the property, equipment, records, rights,

contracts (including labor contracts), and indebtedness related to fire protection services of the fire departments being consolidated are transferred to or assumed by the consolidated city. Establishes the process by which the fire department of an excluded city can be consolidated into the fire department of a consolidated city. Requires a consolidated fire department to provide county emergency ambulance services by written agreement with the health and hospital corporation of the county. Authorizes the fire special services district to levy a tax to pay the amounts required to satisfy the 1937 firefighters' pension fund obligations. Authorizes a consolidated city to issue obligations to refund obligations issued by the fire departments being consolidated into the fire department of a consolidated city. Adjusts for 2006 the maximum ad valorem property tax levy of a consolidated city to account for the consolidation of certain fire departments into the fire department of a consolidated city. Establishes the annual maximum increase in the permissible ad valorem property tax levy for a consolidated city related to the police special service district. Consolidates the law enforcement services of the consolidated city, the county, and the airport authority into the metropolitan law enforcement agency (agency). Provides that the sheriff operates the agency with oversight by a sheriff's merit board and the metropolitan police commission. Establishes a transition advisory board to integrate law enforcement functions and personnel into the agency. Provides a process for consolidating the law enforcement services of an excluded city into the agency. Establishes the qualifications to become a member of the agency. Establishes the powers and duties of agency members. Requires the sheriff to adopt a classification of ranks, grades, and positions and disciplinary rules and orders for the agency. Establishes a disciplinary administrative process for agency members. Provides for the appointment of a prison matron, a chief deputy, an agency chief, temporary administrative ranks or positions, special deputies, and police reserve officers. Continues the existing sheriff's pension trust, with the public safety pension commission as the trustee, to provide retirement benefits for county police officers appointed before January 1, 2006. Provides that new appointments to the agency become members of the 1977 fund. Establishes a death benefit, disability benefit, and dependents' benefit for the sheriff's department. Establishes a procedure to determine the maximum meal allowance for prisoners in the sheriff's custody. Establishes a jail commissary fund and inmates' trust funds. Provides for unified administration and management of the pension funds of the police and fire departments that are consolidated into the metropolitan law enforcement agency or the fire department of a consolidated city by establishing a public safety pension commission with a 14 member board of trustees. Provides that the city controller, who is a trustee, is the treasurer of the commission. Provides that a police officer who is a member of the 1925, 1953, or 1977 fund and a firefighter who is a member of the 1937 or 1977 fund remains a member of the same fund after the consolidation. Provides that a police officer or firefighter whose services for an entity are consolidated into the metropolitan law enforcement agency or the fire department of a consolidated city becomes a member of the 1977 fund. Permits the sheriff of a county having a consolidated city to become a member of the 1977 fund upon the request of the executive of the consolidated city.

Effective Date: Upon passage; July 1, 2005; January 1, 2006; July 1, 2006; January 1, 2007.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Valerie Ruda, 317-232-9867.